IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 749 of 2007()

(IN CRIME NO.4/2007 OF THE AGALI POLICE STATION)

PETITIONER/15TH ACCUSED:

KRISHNADAS, S/O.NAGAN,
KUNDAMARE HOUSE, MEZHUKUMPARA,
THENKARA, MANNARKKAD.

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN

RESPONDENT/RESPONDENT:

STATE REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA REPRESENTING
THE SI OF POLICE, AGALI.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 749 OF 2007

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DATED THIS THE 9th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 15th accused in Crime No.4/07 of Agali Police Station for offences punishable under sections 450,352, 395, and 427 seeks his enlargement on bail. Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act, 1989 has also been subsequently added by the Police. The petitioner was arrested on 12.1.2007.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that in the night of 10.1.2007, the accused persons trespassed into the house of the de facto complainant and after wrongfully confining him and his workers in another building they robbed the cattle, television, CD player, sewing machine, etc. worth Rs.1,50,000/= after demolishing the house, cattle shed, and mill worth Rs.4 lakhs.

4. The petitioner is alleged to be the driver of the lorry in which the household articles were transported. Having regard to the facts and circumstances of the case and the duration of judicial custody of the petitioner, I am inclined to grant bail to the petitioner only with effect from a future date. Accordingly, the petitioner is directed to be

released on bail with effect from 19.2.2007 on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mannarkkad and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he/she attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn